IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN

WEDNESDAY, THE 13TH DECEMBER 2006 / 22ND AGRAHAYANA 1928

WP(C).No. 21543 of 2006(H)

PETITIONER:

M.K. KARUNAKARAN,
MUNDACKAL HOUSE, P.O. PARAPPUKARA,
THRISSUR DISTRICT.

BY ADV. SRI.P.RAVINDRAN

RESPONDENTS:
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1. THE REGIONAL TRANSPORT AUTHORITY,
THRISSUR.

2. THE SECRETARY,
THE REGIONAL TRANSPORT AUTHORITY, THRISSUR.

3. P.S. SARIN,
PALLATHERY HOUSE, MOOLAMKUDAM, P.O. MATTATHURKUNNU
KODAKARA, THRISSUR.

4. STATE TRANSPORT APPELLATE TRIBUNAL,
ERNAKULAM.

BY ADV. SRI.I.DINESH MENON
SMT.D.RENU, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 13/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC NO. 21543/2006

APPENDIX

PETITIONER'S EXHIBITS

EXHIBIT P1: TRUE COPY OF THE PROCEEDINGS OF THE MEETING OF THE TRA THRISSUR HELD ON 19.10.2005.

EXHIBIT P2: TRUE COPY OF THE ORDER OF THE STAT IN MVAA NO.732/05 DATED 18/05/2005.

EXHIBIT P3: TRUE COPY OF THE ORDER DATED 14/06/2006.

EXHIBIT P4: TRUE COPY OF THE ROUGH SKETCH OF THE ROUTE.

//TRUE COPY//

P.A. TO JUDGE

P.R.RAMAN, J.

W.P.(C) NO. 21543 OF 2006

Dated this the 13th day of December, 2006

J U D G M E N T

By Exhibit P1, the temporary application submitted by the 3rd respondent was rejected on the ground that it is a notified area. On appeal, the appellate authority directed future application to be considered on merit untramelled by the observations in the order impugned in the appeal. In other words, merely because an earlier application is rejected on the ground that it is a notified area and a decision was already rendered thereon by itself, may not be a good reason to reject the subsequent application. But in this case, the very same application was said to be reconsidered. The relief granted by Exhibit P2 was only for future application and not for consideration of the application already made which became final after Exhibit P1 and at any rate after Exhibit P2.

2. In such circumstances, P3 grant will stand set aside. However, if 3rd respondent files a fresh application seeking fresh permit, the decision will be taken in accordance with law.

Writ petition is disposed of as above.

P.R.RAMAN, JUDGE

Rp